

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Gail Albanese,
Plaintiff
v.
Nancy A. Berryhill, Acting
Commissioner of Social Security,
Defendant

Case No.: 2:16-cv-02350-JAD-VCF

Order Adopting Report and Recommendation, Granting and Denying Motions, and Dismissing Case

[ECF Nos. 21, 22, 27]

Gail Albanese appeals from the Commissioner's final decision denying Albanese disability insurance benefits. Albanese moved for reversal by summary judgment,¹ and the Commissioner cross-moved to affirm.² Magistrate Judge Cam Ferenbach recommends that Albanese's motion be granted, the Commissioner's cross-motion be denied, and this case be remanded to the administrative law judge for further proceedings.³

The report and recommendation was entered June 12, 2017, making June 26, 2017, the deadline to file an objection. No party has filed an objection to the report and recommendation. “[N]o review is required of a magistrate judge’s report and recommendation unless objections are filed.”⁴

Accordingly, with good cause appearing and no reason to delay, IT IS HEREBY ORDERED that Magistrate Judge Ferenbach's report and recommendation [ECF No. 27] is **ACCEPTED** and **ADOPTED**; Albanese's motion for summary judgment [ECF No. 21] is **GRANTED**; the

¹ ECF No. 21.

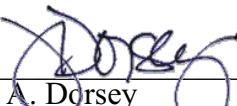
2 ECF No. 22.

³ ECF No. 27.

⁴ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); see also *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 Commissioner's cross-motion to affirm [ECF No. 22] is DENIED; and this matter is REMANDED
2 back to the administrative law judge for further proceedings consistent with the Report and
3 Recommendation. The Clerk of Court is directed to enter judgment accordingly and CLOSE THIS
4 CASE.

5 DATED June 28, 2017.

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8 Jennifer A. Dorsey
United States District Judge

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